

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES – GENERAL

Case No.: 5:23-cv-02245-RGK-BFM **Date:** August 14, 2024

Title: Jeff Macy v. California Highway Patrol Running Springs, et al.

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Present: The Honorable Brianna Fuller Mircheff, United States Magistrate Judge

Christianna Howard
Deputy Clerk

N/A
Court Reporter / Recorder

Attorneys Present for Plaintiff:
N/A

Attorneys Present for Defendants:
N/A

**Proceedings: (In Chambers) Order Re: Discovery Requests Filed
with Court (ECF 37)**

On August 12, 2024, Plaintiff filed a document with the Court that appears to be discovery requests (Interrogatories) to be served on Defendants Bates and O'Brien. (ECF 37.)

In general, discovery responses and requests (like these Interrogatories) are not filed with the Court. The Court only gets involved in the process of discovery if there is a dispute that the parties cannot resolve. It does not appear that Plaintiff wants the Court to take any action on these documents or resolve any dispute. So he does not need to file these discovery requests or any other item relating to discovery with the Court right now—or ever—unless there is a discovery dispute and a party intends to file a motion, or unless the discovery will be used in the case (i.e., if it is an attachment to a motion or an exhibit at trial). Fed. R. Civ. P. 5(d)(1); C.D. Local Rule 26-2.

More importantly, this case has not progressed to the point where making discovery requests would be proper. Under Rule 26 of the Federal Rules of Civil Procedure, discovery may not be sought until the parties have conferred as required by Rule 26(f). Fed. R. Civ. P. 26(d)(1). No report of a Rule

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26(f) conference has yet been filed. Plaintiff cannot commence discovery against Defendants until they have done so.

The Court Clerk is directed to strike the interrogatories (ECF 37) from the docket.

IT IS SO ORDERED.

cc: Jeff Macy, pro se
Counsel of Record

Initials of Preparer: ch